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ECF filed on: 4/16/2012

5 **UNITED STATES BANKRUPTCY COURT**  
6 **FOR THE DISTRICT OF NEVADA**

7 \* \* \*

8 In re  
9 PATRICK J. MCCUALEY,  
dba GC LIVESTOCK, LLC,  
10 PATRICIA L. MCCUALEY,

Case No.: BK-13-50194-BTB  
Chapter 12

11 Debtor,

Hearing Date: January 16, 2013  
Hearing Time: 10:00 A.M.  
Time Required: 5 Mins.

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13 **MOTION TO ALLOW WITHDRAWAL OF COUNSEL**

14 COMES NOW, Attorney, Nathan R. Zeltzer, for Debtor (hereinafter "Attorney"), Patrick & Patricia  
15 McCauley, (hereinafter "Debtors"), and moves this Court for an Order to Allow Withdrawal as Counsel of  
16 Record in connection with this case. The reasons for this motion are fully set forth below. The Debtors filed  
17 their Chapter 12 Bankruptcy petition on January 31, 2013. There is a breakdown in communications between  
18 Debtors' and Applicant. Due to this situation it has become impossible for Applicant to continue to represent  
19 Debtors' in this case.

20  
21 **LAW AND ARGUMENT**

22 This Motion is made pursuant to Federal District of Nevada LR 1A 10-6(b) and 10-7, and Nevada  
23 Supreme Court Rule 166(2)(c) and (e). The above rules allow counsel for a party in this Court to withdraw in  
24 certain instances. It appears that the facts of this case meet the criteria under the above authority.

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26 Applicant has requested certain documents from Debtors' over the past 75 days, and as of this date they  
27 have not been provided. These are necessary to properly represent the Debtors' in this matter.

There are necessary and required pleadings that need to be filed in this case, but without the documents it would be impossible to file the pleadings. Without these documents it makes it impossible for Applicant to represent Debtors' in their case. Without Debtors' cooperation in providing these materials it is impossible to properly continue representing the Debtors' in this case.

Upon consideration of the above information, the Debtors should be substituted in as their own Attorney Pro Se. It is impossible for undersigned counsel to maintain his duties to this client, and to the Court under these circumstances. Thus, Movant has the authority to withdraw as attorney of record upon approval of this Court, see Nevada Supreme Court Rule 46(2).

## **CONCLUSION AND PRAYER**

The Debtors' having failed to provide the requested information in their case, and it being impossible to continue representing the Debtors' in this matter due to this fact, it is requested that Counsel be allowed to withdraw from Debtors' case as the attorney of record and have the Debtor substituted in place as Counsel Pro Se.

Dated: April 15, 2013

Respectfully Submitted,

/s/ Nathan R. Zeltzer  
Nathan R. Zeltzer, Esq.